

REMARKS

Claims 1, 2, 4-14, 16-19, and 30 are pending. Claim 1 has been amended. There are no issues of new matter. Since the claim 1 amendment is for clarification, the amendment does not raise new issues that would require further consideration and/or search. Applicants therefore request that the amendment be entered.

Claims 1, 7, 10, 12, 16, 18, 19, and 30 stand rejected under 35 USC 102(b) as being anticipated by Harada (US 5,179,956). Applicants traverse the rejection.

Claim 1 as amended recites a pulse wave measuring apparatus that includes a substrate (e.g., FIG. 6, element 1) having a pressure sensor on the substrate's main surface (e.g., FIG. 6, element 2), a protection member (e.g., FIG. 6, element 12) accommodating the substrate, and an air chamber (e.g., FIG. 6, element 20) open to atmosphere and interposed between a wall surface of the protection member and an end surface of the substrate, where the end surface excludes the substrate's main surface and the substrate's rear surface opposite the main surface. The air chamber advantageously mitigates the stress applied to the substrate.

In contrast, Harada neither discloses nor suggests Applicants' claimed combination of elements, including an air chamber open to atmosphere and interposed between a wall surface of a protection member and an end surface of a substrate, as in claim 1. Rather, Harada specifically discloses a *rear* surface of a sensor chip 60 that is open to atmosphere, not an *end* surface of the sensor chip 60. See Harada, col. 5, lines 8-15. Moreover, Harada discloses that a silicon rubber layer 90 is formed to surround and cover the main surface and the end surfaces of the sensor chip 60 (see Harada, col. 6, lines 11-17) and that an adhesive layer 54 is formed to fill the gap between a plate member 56 and a head case 50 (see Harada, col. 4, lines 47-51, and FIG. 3). As such, even were there an air chamber at the end surface of the sensor chip 60, such a chamber would not be open to atmosphere due to at least the rubber layer 90 and the adhesive layer 54.

The Office Action states that Applicants' claimed end surface can be interpreted to mean any individual or pair of opposing surfaces. See Office Action, page 5, item 13. Accordingly, the

Office Action asserts that Harada's disclosure of opening a rear chip surface to atmosphere is the same as opening an end surface to atmosphere, as in claim 1. See Office Action, page 2, item 4. Applicants disagree. Applicants have amended claim 1 to make it clearer that Applicants' end surface is not the same as Harada's rear surface. Therefore, Harada's disclosure of a rear surface cannot anticipate Applicants' claimed end surface. Neither would there have been any reason to modify Harada to make its rear surface the same as Applicants' end surface.

Claim 1 and its dependent claims 7, 10, 12, 16, 18, 19, and 30 are not anticipated by Harada. Withdrawal of the rejection is requested.

Claims 4, 6, 13, 14, and 17 stand rejected under 35 USC 103(a) as being unpatentable over Harada in view of Fujikawa (US 5,101,829). Applicants traverse the rejection.

The deficiencies of Harada are not overcome by Fujikawa because Fujikawa also fails to disclose or suggest Applicants' claimed combination of elements, including an air chamber open to atmosphere and interposed between a wall surface of a protection member and an end surface of a substrate, as in claim 1. Therefore, the combination of Harada and Fujikawa does not provide Applicants' claimed invention.

Claims 4, 6, 13, 14, and 17, which depend from claim 1, are patentable over Harada in view of Fujikawa. Withdrawal of the rejection is requested.

Claim 8 stands rejected under 35 USC 103(a) as being unpatentable over Harada in view of Chesney (US 6,159,166). Applicants traverse the rejection.

The deficiencies of Harada are not overcome by Chesney because Chesney also fails to disclose or suggest Applicants' claimed combination of elements, including an air chamber open to atmosphere and interposed between a wall surface of a protection member and an end surface of a substrate, as in claim 1. Therefore, the combination of Harada and Chesney does not provide Applicants' claimed invention.

Claim 8, which depends from claim 1, is patentable over Harada in view of Chesney. Withdrawal of the rejection is requested.

Applicants acknowledge the indication that claims 2, 5, 9, and 11 include allowable subject matter.

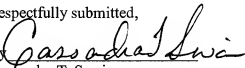
Each of the pending claims is in condition for immediate allowance. A Notice of Allowance is therefore requested.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. **03-1952** referencing docket no. **245402011300**.

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Respectfully submitted,

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